

United States District Court
Southern District of New York

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TERRENCE SMITH,

Plaintiff,

-against-

STEPHEN J. T'KACH, ET al.,

Defendants.

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DEBORAH A. BATTIS, United States District Judge.

The Court is in receipt of Magistrate Judge Michael H. Dolinger's Report and Recommendation dated March 22, 2011, which recommends that this case be dismissed in light of Plaintiff's letter requesting dismissal without prejudice and in light of the fact that no answer or responsive motion has been filed in this case.

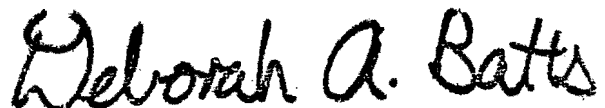
Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), a Plaintiff may dismiss without a court order when, as here, no answer or responsive motion has been filed. Accordingly, this action is now DISMISSED.

The Clerk is directed to close the docket in this matter, and is further directed to provide Plaintiff with a copy of each document in the docket for this case.

SO ORDERED.

Dated: New York, New York

April 22, 2011



Deborah A. Battis
United States District Judge

